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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/822,255

04/10/2004

David Todd Nay

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06/20/2006

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EXAMINER

GABLER, PHILIP FRANCIS

ART UNIT

PAPER NUMBER

3637

DATE MAILED: 06/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/822,255

Applicant(s)

NAY ET AL.

Examiner

Philip Gabler

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,6-8,14 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,6-8,14 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim recites the limitation "a viewing angle" in the twenty-first line of the claim. The term "viewing" makes the limitation unclear and the claim is accordingly deemed indefinite.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 6-8, 14, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore et al. (US Patent Number 6201690) in view of Gill et al. (US Patent Number 5388032), Krivec (US Patent Number 5549374), and Ku et al. (US Patent Number 6266236). Moore (Figures 2 and 9-13) discloses a computer terminal bracket (23) rack mounted in a computer cabinet (13), said bracket being adjustably movable outward from the cabinet, wherein said bracket is configured to fold into a

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single horizontal plane, said bracket comprising: a first frame (35) horizontally movable with respect to the cabinet, whereby a distal edge of the first frame of the bracket is extendable outwardly from the computer cabinet; and a second frame (43) pivotally joined to the first frame at the distal edge (viewed as A in Exhibit 1) of the first frame; and a single terminal unit (41, 77, and associated components attached to 43) pivotally mounted to the second frame and comprising a keyboard holder (41) pivotally mounted to the second frame at a distal edge thereof (C), wherein the height of said keyboard holder is adjustable in a vertical direction; a keyboard (83) coupled to said keyboard holder; a display holder (77) pivotally mounted to the second frame at the distal edge thereof capable of allowing for angular adjustment of the keyboard holder and display holder, wherein an angle of said display holder is adjustable with respect to the cabinet and the keyboard holder, and a display (79) coupled to said display holder. Moore does not disclose friction hinges or specifics of his slides. It is well known in the art however to use a wheel/rail arrangement as well as lubricious materials in slide construction. This is evidenced by Gill, who (Figure 4) discloses a wheel/rail arrangement and Krivec, who (column 3 lines 51-55) discloses the use of the lubricious material polytetrafluoroethylene (which is well known to be capable of a coefficient of friction of less than 0.11) for rails. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a wheel/rail arrangement as well as a lubricious material in the construction of Moore's slides as taught by Gill and Krivec because of the smooth and easy sliding action such an arrangement would provide. Further, the use of friction hinges is well known as shown by Ku, who (Figures

1, 3, and 15) discloses the use of friction hinges (72, 74) including friction brakes (76, etc.) capable of restraining rotation in a computer system. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use friction hinges in Moore's design as taught by Ku because of the smooth and simple operation such a hinge could provide.

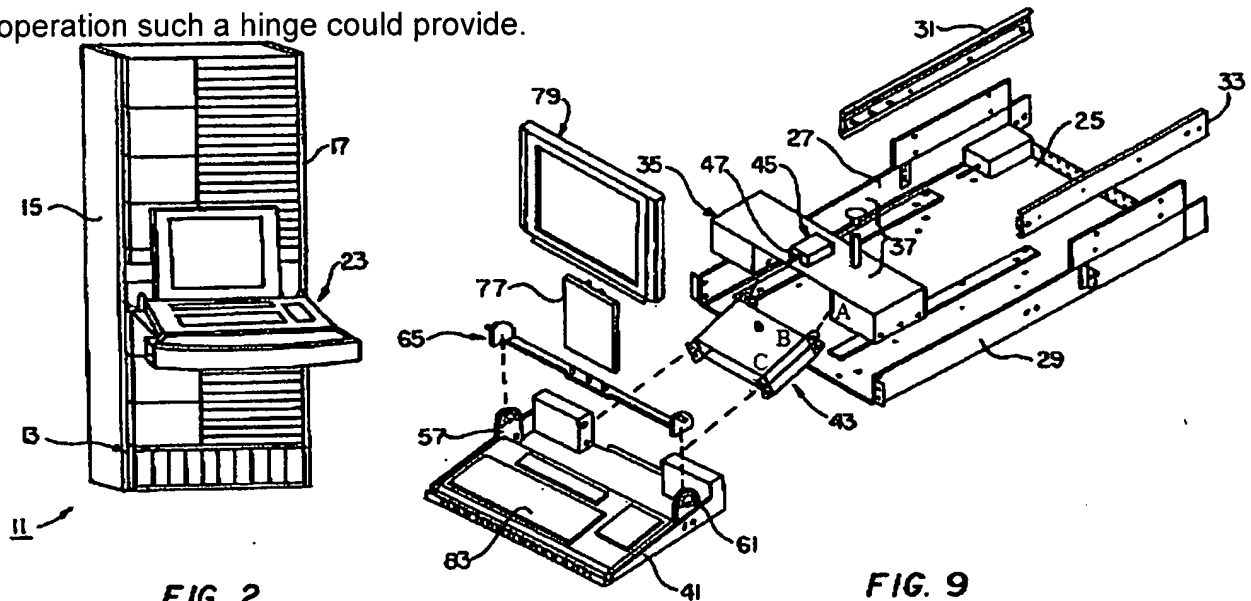


FIG. 2

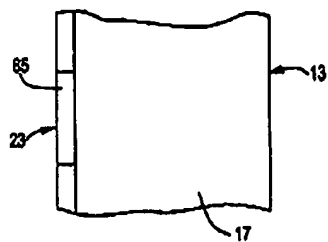


FIG. 10

FIG. 9

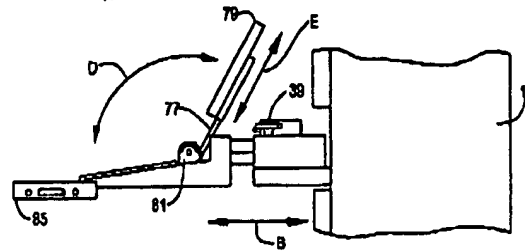


FIG. 12

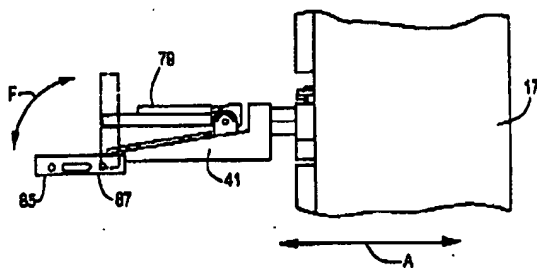


FIG. 11

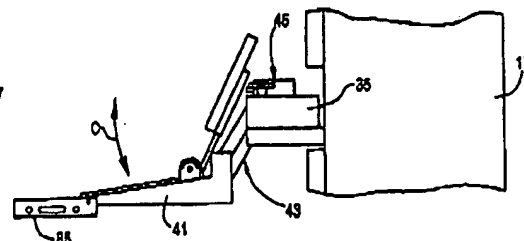
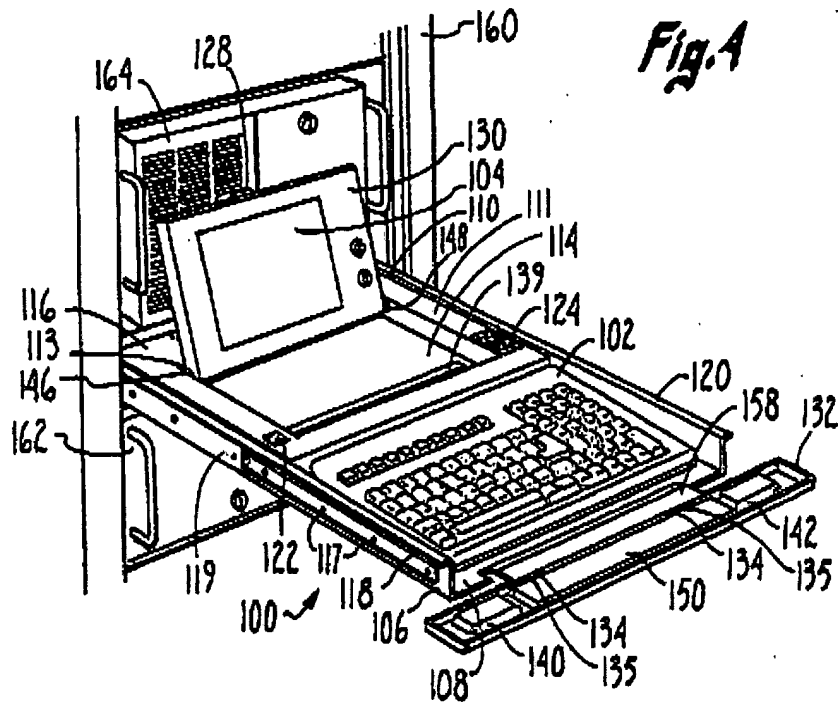


FIG. 13

Exhibit 1: Moore '690 Figures 2 and 9-13



Gill et al. '032 Figure 4

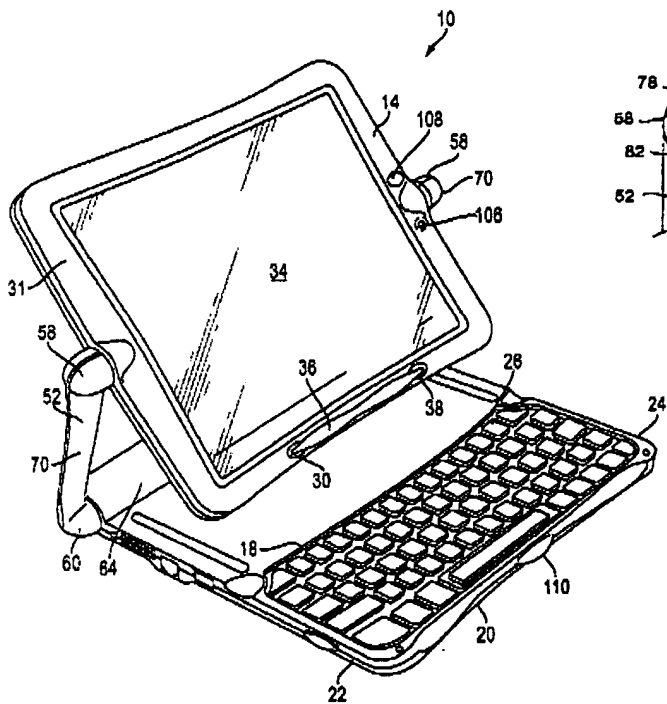


Figure 1

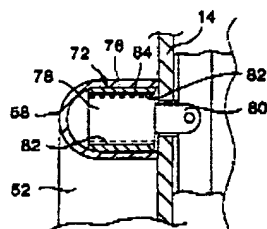


Figure 15

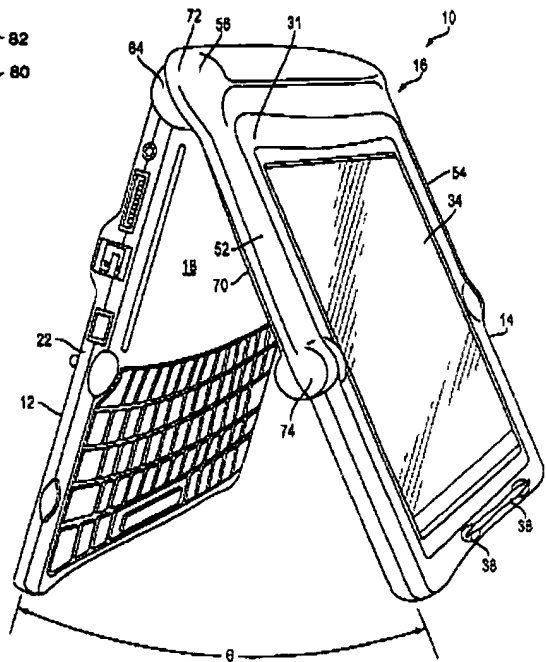


Figure 3

Ku et al. '236 Figures 1, 3, and 15

Response to Arguments

5. Applicant's arguments, see the second page of the remarks, filed 28 April 2006, with respect to the objections to the drawings and claims 1 and 14, and the 35 USC 112 rejections of claims 1, 2, 4-12, 14, 16, 17, and 20 have been fully considered and are persuasive. The objections to the drawings and above mentioned claims and the 35 USC 112 rejections of the above mentioned claims have been withdrawn. Note however, that amended claim 14 has received a new 35 USC 112 rejection.
6. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new grounds of rejection.

Conclusion

7. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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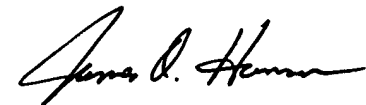
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Gabler whose telephone number is (571) 272-6038. The examiner can normally be reached on Monday through Friday, 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PFG
6/9/2006


JAMES O. HANSEN
PRIMARY EXAMINER